UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION

This document relates to:

Track Three Cases

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO RECONSIDER ORDER REQUIRING JURORS TO BE VACCINATED OR, IN THE ALTERNATIVE, MOTION FOR APPROPRIATE RELIEF FOR SUBSTANTIAL FAILURE TO COMPLY WITH THE JURY SELECTION AND SERVICE ACT

While agreeing with Judge Polster's concern that only vaccinated people be summoned as jurors in this case, the plaintiffs do not object to the Court's granting the defendants' motion for reconsideration.

Respectfully submitted,

Jayne Conroy SIMMONS HANLY CONROY 112 Madison Avenue, 7th Floor New York, NY 10016 (212) 784-6400 (212) 213-5949 (fax) jconroy@simmonsfirm.com

Joseph F. Rice MOTLEY RICE LLC 28 Bridgeside Blvd. Mt. Pleasant, SC 29464 (843) 216-9000 (843) 216-9290 (fax) jrice@motleyrice.com

Paul T. Farrell, Jr., Esq. FARRELL & FULLER LLC 1311 Ponce de Leone Ave., Suite 202 San Juan, PR 00907 (304)654-8281 paul@farrellfuller.com Plaintiffs' Co-Lead Counsel

/s/Peter H. Weinberger

Peter H. Weinberger (0022076) SPANGENBERG SHIBLEY &LIBER 1001 Lakeside Avenue East, Suite 1700 Cleveland, OH 44114 (216) 696-3232 (216) 696-3924 (fax) pweinberger@spanglaw.com

Plaintiffs' Liaison Counsel

/s/Frank Gallucci

Frank L. Gallucci
PLEVIN & GALLUCCI CO., L.P.A.
55 Public Square, Suite 222
Cleveland, OH 44113
(216) 861-0804
(216) 861-5322 (fax)
FGallucci@pglawyer.com

Hunter J. Shkolnik NAPOLI SHKOLNIK 360 Lexington Ave., 11th Floor New York, NY 10017 (212) 397-1000 (646) 843-7603 (fax) hunter@napolilaw.com

Counsel for Plaintiffs Lake County and Trumbull County, Ohio

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger
Peter H. Weinberger